

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

EQUAL EMPLOYMENT)	
OPPORTUNITY COMMISSION,)	
)	
Plaintiff,)	8:10CV318
)	
V.)	
)	
JBS USA, LLC,)	ORDER
)	
Defendant.)	
)	

This matter is before the Court on Plaintiff and Plaintiff/Intervenors’ Motion to Reconsider ([filing 315](#)). Plaintiff and Plaintiff/Intervenors request that the undersigned reconsider a portion of the order entered on October 29, 2012 ([filing 311](#)), which denied Defendant’s motion for a protective order barring the deposition of Wesley Batista (“Batista”). Plaintiff and Plaintiff/Intervenors’ motion to reconsider further requests that the undersigned clarify whether Plaintiff/Intervenors can participate in Batista’s deposition given the previous ruling ([filing 296](#)) that Plaintiff/Intervenors may not participate in Phase I of this proceeding.

Defendant argues that the motion to reconsider is premature because Defendant plans on filing an objection to the order denying Defendant's motion for a protective order. Defendant further suggests that the request for clarification is premature given the objection pending on the undersigned's order precluding Plaintiff/Intervenors from participating in Phase I of this proceeding. ([Filing 305](#).) The undersigned agrees with Defendant.

Accordingly,

IT IS ORDERED that Plaintiff and Plaintiff/Intervenors' Motion to Reconsider is denied.

DATED November 9, 2012.

BY THE COURT:

S/ F.A. Gossett
United States Magistrate Judge